



# Appropriations Update

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## FISCAL YEAR 2006 LEGISLATIVE APPROPRIATIONS BILL – H.R. 2985 Conference Report

### SUMMARY

The conference report on the Legislative appropriations bill, filed on 26 July 2005 (H.R.2985; H.Rept. 109-189), provides a total of \$3.804 billion in new budget authority [BA] for the Legislative Branch of the Federal Government, including the Congress and its support agencies (the Library of Congress, the Capitol Police, the Congressional Budget Office, and so on).

Fiscal year 2006 spending in the measure slightly exceeds the suballocation for the bill when it was considered by the House. Due to other budgetary requirements, the Appropriations Committee is of the view that it cannot revise the suballocation for the conference report. The rule for debate on this measure waives all points of order against consideration.

### COST OF THE LEGISLATION

The conference report provides a total of \$3.804 billion in new BA for the fiscal year beginning on 1 October 2005. Outlays resulting from this BA are expected to total \$3.809 billion in fiscal year 2006. (Outlays are greater than BA because they include amounts from appropriations enacted in prior years, principally building projects in the Capitol Building complex.)

Although the conference report exceeds the applicable suballocations for BA and outlays, as noted above, it is below the President's budget request by \$224 million in BA,

and by \$150 million in outlays (see Table 1). This change, however, is only a reduction from what the congressional agencies requested – such as the Architect of the Capitol, the Library of Congress, and the House and Senate themselves – without oversight from Members of Congress. The law requires the President's budget to reflect amounts requested by the originating agencies.

The cost of the bill was reduced by \$7 million in BA through the rescission of appropriations to the Library of Congress. No outlay savings result from the rescission.

**Table 1: Legislative**  
(fiscal years; millions of dollars)

|                  | <b>2005 Spending<sup>a</sup></b> | <b>Administration 2006</b> | <b>302 (b) for 2006</b> | <b>Bill</b> |
|------------------|----------------------------------|----------------------------|-------------------------|-------------|
| Budget Authority | 3,545                            | 4,028                      | 3,719                   | 3,804       |
| Outlays          | 3,785                            | 3,959                      | 3,804                   | 3,809       |

<sup>a</sup> Excludes emergency supplemental appropriations.

### COMPLIANCE WITH THE BUDGET RESOLUTION

The conference report exceeds, by \$85 million in BA and \$5 million in outlays, the 302(b) allocation provided for legislative activities. Technically, this violates section 302(f)

of the Budget Act, which prohibits consideration of appropriations bills that exceed the applicable 302(b) suballocations. There is a concern that the suballocation

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cannot be altered because of a related provision of the Congressional Budget Act. The provision – section 302(e) – requires that 302(b) suballocations be consistent with House action on legislation under the committee’s jurisdiction. (This section was intended to preclude the Appropriations Committee from effectively paying for higher appropriations in select bills by reducing the allocations for previously passed bills below their actual House-passed levels. It was not intended to preclude adjustments of allocations for conference reports.)

The conference agreement does not contain advance appropriations or emergency-designated spending, the use of which are governed by the budget resolution – and hence complies with those provisions of the concurrent resolution on the budget.

In the absence of changes in the suballocation procedures, the technical violation occurring in this measure could arise again with future conference reports, also because of section 302(e).

**Table 2: Discretionary Spending in the Legislative Appropriations Bill**  
(in millions of dollars)

|  | 2005 Budget<br>Authority | 2005<br>Outlays | 2006 Budget<br>Authority | 2006<br>Outlays | Difference<br>BA | Difference<br>Outlays |
|--|--------------------------|-----------------|--------------------------|-----------------|------------------|-----------------------|
| House of Representatives .....         | 1,041                    | 1,061           | 1,101                    | 1,093           | 60               | 32                    |
| Senate .....                           | 720                      | 705             | 785                      | 761             | 65               | 56                    |
| Capitol Police .....                   | 231                      | 248             | 249                      | 258             | 18               | 10                    |
| Congressional Budget Office .....      | 35                       | 35              | 35                       | 35              | 0                | 0                     |
| Architect of the Capitol .....         | 344                      | 587             | 422                      | 460             | 78               | -127                  |
| Library of Congress .....              | 545                      | 518             | 560                      | 551             | 15               | 33                    |
| Government Printing Office .....       | 120                      | 125             | 123                      | 122             | 3                | -3                    |
| Government Accountability Office ..... | 468                      | 461             | 482                      | 480             | 14               | 19                    |
| <u>Other .....</u>                     | <u>41</u>                | <u>45</u>       | <u>47</u>                | <u>49</u>       | <u>6</u>         | <u>4</u>              |
| <b>Total .....</b>                     | <b>3,545</b>             | <b>3,785</b>    | <b>3,804</b>             | <b>3,809</b>    | <b>259</b>       | <b>24</b>             |

## DISCUSSION

As noted, the conference report provides \$3.804 billion in discretionary BA to the Legislature, an increase of \$259 million in BA from 2005 enacted (see Table 2 above).

Among the principal issues in the bill are the following:

- *Capitol Police* - The bill provides \$249 in BA for the Capitol Police, and establishes an Inspector General for the agency. The bill also terminates the Capitol Police mounted horse unit, and allows for the Capitol Police to continue to staff the Library of Congress while completing the merger, now under way, with the library’s police force.
- *Architect of the Capitol* - The conference report provides the Architect of the Capitol \$422 million in

BA, \$78 million more than 2005 and \$74 million below the agency request. The agreement provides \$42 million to complete construction of the Capitol Visitor Center, and \$2 million for operating expenses.

The Architect also receives funds for the Capitol power plant (\$59 million), and Capitol and House buildings (\$60 million).

- *The Continuity in Representation Act* - The conference agreement also includes the text of H.R. 841, the Continuity in Representation Act of 2005.
- *Deficit Reduction*- The conference agreement continues to allow unspent Member Representational Allowance funds to be used for deficit reduction.

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